

Summons in a Civil Action (Rev 11/97)

## United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

BECKMAN COULTER INC. and ORCHID  
 CELLMARK INC, a Delaware corporation,  
 and Orchid Cellmark Inc., a  
 Delaware corporation

SEQUENOM, INC., a Delaware  
 corporation

ORIGINAL

SUMMONS IN A CIVIL ACTION

Case No.

'08 CV 1013 W POR

TO: (Name and Address of Defendant)

SEQUENOM, Inc. - Corporate Headquarters  
 3595 John Hopkins Court  
 San Diego, CA 92121-1331

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Iris Sockel Mitrakos  
 Townsend and Townsend and Crew LLP  
 12730 High Bluff Drive, Suite 400  
 San Diego, CA 92130  
 (858) 350-6100

An answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

JUN 05 2008

W. Samuel Hamrick, Jr.

CLERK

DATE

By Elizabeth Floyd, Deputy Clerk

ORIGINAL

ORIGINAL

## RETURN OF SERVICE

Service of the Summons and Complaint was made by me

DATE 6/20/08 1:40 pm

NAME OF SERVER

Khadija Matthews

TITLE

Process Server

Check one box below to indicate appropriate method of service



Served personally upon the defendant. Place where served:

By Serving: Loretta McHeely

3595 John Hopkins Court  
San Diego, CA 92121

Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: \_\_\_\_\_



Return unexecuted:



Other (specify): \_\_\_\_\_

## STATEMENT OF SERVICE FEES

TRAVEL		SERVICES	TOTAL

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 6/20/08

Date

Signature of Server

Nationwide Legal, Inc.

121 Broadway #121, San Diego, CA 92101

Address of Server

## NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) AMIGO State if no answer to summons see Rule 4 of the Federal Rules of Civil Procedure